

Notice of Allowability

Application No.

09/593,522

Examiner

Duc C Ho

Applicant(s)

RAMBAUD ET AL.

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 09-15-04.
2. ☒ The allowed claim(s) is/are 1-4, 6, 7, 5, 12, 9-10, 13-14, and 16-23. Renumbered 1-20, respectively.
3. ☒ The drawings filed on 14 June 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11-24-04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER 'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Clint Gerdine on 11-24-04.

The application has been amended as follows:

In the claims:

Claim 15 is canceled.

Claim 17, line 1, "15" has been replaced with --- 16 ---.

Claim 18, line 1, "15" has been replaced with --- 16 ---.

Claim 19, line 1, "15" has been replaced with --- 16 ---.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

Regarding claims 1-4, and 6-7, the prior art fails to teach or suggest a method for transmission of variable sized packets from an upper layer of a stack of communication

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protocol layers to a lower layer intended to manage fixed size packets, the method comprises a step of adding delineation information to the header of one of the variable sized packets of the upper layer of the stack, wherein the stack includes at least four layers, one of which is an ARQ (Automatic Retransmission Request) layer, in combination with other limitations, as specified in the independent claim 1.

Regarding claim 5, the prior art fails to teach or suggest a method for transmission of variable size packets from an upper layer of a stack of communication protocol layers to a lower layer intended to manage fixed sized packets, the method comprises a step of providing the header of each SAR packet with a field which codes the length of the upper layer packet header, in combination with other limitations.

Regarding claims 12, 9-10, and 13-14, the prior art fails to teach or suggest packet intended to be managed by a layer of a communication protocol stack between an upper layer supporting variable sized packets and a lower layer supporting fixed size packets, wherein the headers of the upper layer packets having different lengths depending on the corresponding payload, wherein its header is provided with a length code field which codes the length of the upper layer packet header, in combination with other limitations, as specified in the independent claim 12.

Regarding claims 20-22, the prior art fails to teach or suggest a method for transmitting packets, the method comprises a step of transmitting variable size packets from an upper layer to a lower layer of a stack of communication protocol layers including at least four layers, one of which is an ARQ layer, in combination with other limitations, as specified in the independent claim 20.

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Regarding claim 23, the prior art fails to teach or suggest a method for receiving packets, the method comprises a step of processing fixed sized packets being received by a lower layer of a stack of communication protocol layers including at least four layers, one of which is an ARQ layer, in combination with other limitations.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read "Duc Ho", with a stylized flourish at the end.

Duc Ho

11-24-04